



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Atty Sanoian, Joanne, Law Offices of Joanne Sanoian (for Petitioner Jennifer Lewis, Executor)

First Amended (1) First and Final Account and Report of Executor, (2) Petition for Its Settlement, and for (3) Final Distribution

DOD: 1/11/1999		JENNIFER LEWIS , niece and Executor appointed on 3/30/2004, is Petitioner. Letters issued on 4/2/2004. Account period: [3/30/2004 – 11/4/2013] <i>Note: Petition does not state the account period pursuant to Probate Code § 1061(a). However, based upon this atypical case characterized by lapse of time with few administrative actions taken and the simplified accounting presented, the account period may be presumed to be from the date of appointment and/or date Letters issued, to the date of the execution and verification of this accounting.</i> Accounting - \$25,000.00 Beginning POH - \$25,000.00 Ending POH - \$25,000.00 <i>(no cash; 1/5 interest in real property.)</i> Executor - Not requested Attorney - Not requested Petitioner states: <ul style="list-style-type: none"> The estate consists entirely of a 1/5 interest in a parcel of real property in Fresno; Subsequent to the filing [on 6/9/2004] of the <i>Inventory and Appraisal</i> in this matter, a portion the real property was condemned by the Department of Transportation in an eminent domain action; The estate's parcel was assigned a new parcel description and APN (copy attached as Exhibit A); <p align="center">~Please see additional page~</p>	NEEDS/PROBLEMS/COMMENTS: Page 3 is the related case of the <i>Estate of Gladys Thomas</i> (predeceased sibling.) Continued from 10/9/2013. Minute Order states counsel requests a continuance to make the necessary corrections. The following issue from the last hearing remains: 1. Need proposed order, including the distributions stated as being made to the estates of those devisees who are deceased.
Cont. from 100913			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
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<input type="checkbox"/>	Video Receipt		
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<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice N/A		

Reviewed by: LEG
Reviewed on: 11/13/13
Updates:
Recommendation:
File 1 - Atwater

Petitioner states distribution pursuant to Decedent's Will is to:

- **[ESTATE OF] MARY LEWIS** – 1/4TH interest [in Decedent's 1/5 interest in real property]
- **DANNY THOMAS** – 1/8TH interest [in Decedent's 1/5 interest in real property]
- **LOIS ATWATER** – 1/32ND interest [in Decedent's 1/5 interest in real property]
- **JANICE EPPERSON** – 1/32ND interest [in Decedent's 1/5 interest in real property]
- **[ESTATE OF] LARRY ATWATER** – 1/32ND interest [in Decedent's 1/5 interest in real property]
- **[ESTATE OF] ARLETA ATWATER** – 1/32ND interest [in Decedent's 1/5 interest in real property]
- **CURTIS GILMER** – 1/24TH interest [in Decedent's 1/5 interest in real property]
- **TONI MARSHALL** – 1/24TH interest [in Decedent's 1/5 interest in real property]
- **DENISE GILMER** – 1/24TH interest [in Decedent's 1/5 interest in real property]
- **CHERYL GILMER** – 1/24TH interest [in Decedent's 1/5 interest in real property]
- **BRIAN GILMER** – 1/24TH interest [in Decedent's 1/5 interest in real property]
- **TOM GILMER** – 1/24TH interest [in Decedent's 1/5 interest in real property]
- **GINGER FLEMING** – 1/24TH interest [in Decedent's 1/5 interest in real property]
- **CHERRY ATWATER** – 1/24TH interest [in Decedent's 1/5 interest in real property]
- **WILLIAM HUBBY ATWATER** – 1/24TH interest [in Decedent's 1/5 interest in real property]
- **DORIS JEAN ATWATER** – 1/24TH interest [in Decedent's 1/5 interest in real property]
- **MARTHA ANN ATWATER** – 1/24TH interest [in Decedent's 1/5 interest in real property]
- **NANCY ATWATER** – 1/24TH interest [in Decedent's 1/5 interest in real property].

(1) First and Final Account and Report of Administrator and (2) Petition for Its Settlement and (3) for Final Distribution

DOD: 5/21/1980		BRIAN GILMER , administrator, is petitioner.		NEEDS/PROBLEMS/COMMENTS:	
		Account period: [9/2/2004 – 9/22/2013]		Page 1 is the related case of the Estate of Arthur Atwater (post-deceased sibling.)	
		Note: Petition does not state the account period pursuant to Probate Code § 1061(a). However, based upon this atypical case characterized by lapse of time with few administrative actions taken and the simplified accounting presented, the account period may be presumed to be from the date of appointment and/or date Letters issued, to the date of the execution and verification of this accounting.			
Cont. from 100913					
	Aff.Sub.Wit.				
	Verified	By Atty			
✓	Inventory		Accounting - \$5,000.00		
✓	PTC		Beginning POH - \$5,000.00		
✓	Not.Cred.		Ending POH - \$5,000.00		
✓	Notice of Hrg		Administrator - not addressed		
✓	Aff.Mail		Attorney - not addressed		
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.				
	Conf. Screen				
✓	Letters	9/2/04	Distribution, pursuant to intestate succession, is to:		
	Duties/Supp		Carol Gilmer (deceased) – 50% of the decedent's 1/5 interest in real property.		
	Objections		Danny Thomas - 50% of the decedent's 1/5 interest in real property.		
	Video Receipt				
	CI Report				
✓	9202				
	Order	X			
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: KT / LEG	
				Reviewed on: 11/13/13	
				Updates:	
				Recommendation:	
				File 3 - Thomas	

Atty Ruiz, Amanda E., of County Counsel's Office (for Petitioner Public Guardian, Trustee)

Second Account Current and Report of Trustee; Petition for Allowance of Compensation to Trustee and Attorney [Prob. C. 15681; 15688; 16062; 16063]

Age: 75 years		PUBLIC GUARDIAN , Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Note: Notice of Hearing filed 10/24/2013 that was mailed to SNT Beneficiary indicates this hearing is for the First Account rather than the Second Account. Notes for background: <ul style="list-style-type: none"> This Special Needs Trust (SNT) was created by the SNT Beneficiary's mother, Juliette Sangster (DOD 3/26/2010), and following her death, and the resignation of Santa Barbara Bank as Successor Trustee, Petitioner was appointed Successor Trustee by this Court on 8/4/2010. Based upon Schedule A(6) of the Second Account, the SNT received its final distribution from Juliette Sangster's Trust on 9/24/2012. Petitioner's First Account covering two years (8/4/2010 to 7/31/2012) was approved 1/17/2013. The instant Second Account covers one year. Petitioner is Conservator of the Estate of William Sangster in Case #09CEPR00249, in which a status hearing is set for the filing of the Third Account on 7/11/2014. Note: Court will set a status hearing on Friday, 1/22/2016 at 9:00 a.m. in Dept. 303 for the filing of the Third Account of the SNT. Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.
Account period: 8/1/2012 – 7/31/2013			
Accounting - \$162,387.21			
Beginning POH - \$157,419.35			
Ending POH - \$138,468.90 (all cash)			
Trustee - \$1,659.20 (8.00 Staff hours @ \$76.00 per hour and 10.95 Deputy hours @ \$96.00 per hour.)			
Attorney - \$1,250.00 (Via reference to fees for conservatorships per Local Rule 7.16.)			
Bond - \$346.17 (ok)			
Petitioner prays for an Order:			
1. Approving, allowing and settling the Second Account and Report of the Trustee;			
2. Authorizing payment of the Trustee and Attorney fees; and			
3. Authorizing payment of the bond fee.			
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W /	
<input type="checkbox"/>	Aff.Pub.		
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<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202	N / A	
<input checked="" type="checkbox"/>	Order		
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<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: LEG Reviewed on: 11/13/13 Updates: Recommendation: File 5 – Sangster			

(1) First and Final Report of Personal Representative and (2) Petition for Final Distribution and (3) Allowance of Attorneys' Fees on Waiver of Accounting

DOD:9-3-12		JAMIE L. HAMILTON , Administrator with Will Annexed with full IAEA without bond is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	Note: Decedent's will provides that "all of my monies and assets and personal items be spent taking care of" the decedent's pets, and upon their death, all monies assets and personal items are devised to Jamie Hamilton (Petitioner).
	Aff.Sub.Wit.	I&A: \$320,000.00	Petitioner contends that the statement in the will that the decedent's property be spent taking care of his pets is precatory and not compulsory; therefore, the estate should be distributed outright to Petitioner. Authority cited.
✓	Verified	POH: \$199,855.18	
✓	Inventory	Administrator (Statutory): Waived	Petitioner states the decedent's dog predeceased the decedent, and the two cats (age approx. 12 years) are being cared for by Petitioner. Petitioner will agree to honor her father's wishes and care for his cats for their lifetimes.
✓	PTC		
✓	Not.Cred.	Administrator (Reimburse costs): \$33,305.64	
✓	Notice of Hrg	(funeral, costs associated with the decedent's residence, costs associated with the decedent's pets)	
✓	Aff.Mail	w	
	Aff.Pub.		
	Sp.Ntc.	Attorney: Hourly rate per agreement, not to exceed statutory sum of \$9,400.00	
	Pers.Serv.		
	Conf. Screen	Costs: \$1,259.00 (filing, certified letters, appraisal)	
✓	Letters		
	Duties/Supp	Distribution pursuant to Decedent's will:	
	Objections		
	Video Receipt	Jamie L. Hamilton: Entire estate (\$110,693.00 cash plus misc. household furniture and furnishings and personal effects and vehicle.	
	CI Report		
✓	9202		
✓	Order		
	Aff. Posting		Reviewed by: skc
	Status Rpt		Reviewed on: 11-13-13
	UCCJEA		Updates:
	Citation		Recommendation:
✓	FTB Notice		File 6 – Hamilton

(1) Petition for Final Distribution and (2) for Allowance of Compensation for Ordinary Services for Petitioner and Petitioner's Attorney on Waiver of Account
[Prob. C. 10900, 10951, 11640, 10800, 10810]

DOD: 3-19-12		ADELE ANN EBERWEIN and DAVID EBERWEIN, Co- Administrators with Full IAEA without bond, are Petitioners. Accounting is waived I&A: \$369,572.53 POH: \$369,572.53 (\$124,572.53 cash, vehicle, real property) Co-Administrators (Statutory): \$10,391.45 Attorney: \$8,313.16 (less than statutory) Distribution pursuant to intestate succession and Agreement Re Reimbursement, Fees, and Distribution and Assignment of Interest: Sue Rosenthal: \$19,000.00 as reimbursement plus \$19,556.98 (total: \$38,556.98) Adele Ann Eberwein (reimbursement): \$7,000.00 David Eberwein (reimbursement): \$1,640.00 Adele Ann Eberwein: A 50% undivided interest in the vehicle plus cash of \$19,556.98 David Eberwein: A 50% undivided interest in vehicle plus cash of \$19,556.98 Beth Lipston: Real property located at 2724 W. Stuart in Fresno plus \$19,556.98 cash	NEEDS/PROBLEMS/COMMENTS:	
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			
Reviewed by: skc Reviewed on: 11-13-13 Updates: Recommendation: SUBMITTED File 7 – Lipston				

**Petition for Authority to Expend Money for Support and/or Maintenance and/or
Education of Minor, Christopher Rodriguez**

Age: 6		<p>CECILIA RODRIGUEZ, Mother and Guardian of the Estate, is Petitioner.</p> <p>Petitioner states that prior to her husband's death, he was the main provider for the family, and she worked only seasonally in field work and otherwise cared for the children.</p> <p>The following expenses are incurred monthly for the support and/or maintenance and/or education of the minor Christopher:</p> <ul style="list-style-type: none"> Rent: \$300.00 Food and household supplies: \$376.00 Utilities and telephone: \$50.00 Clothing: \$25.00 Child care: \$600.00 (party for Chrystina) Transportation (gas, insurance, and rent on vehicle): \$620.00 <p>Petitioner states she, Christopher, and Chrystina currently live with Petitioner's mother. However, this is only a short term option and Petitioner needs to find an apartment where she, Christopher, and Chrystina can live alone. This would be in Christopher's best interest.</p> <p>Petitioner currently works at DFA of California and has to borrow a vehicle to get to work Monday through Friday 6am to 3pm earning \$9.50/hr. This is seasonal work expected to last until November 2013. Petitioner needs to purchase a vehicle so she can provide proper transportation to school, doctor, grocery, etc., for the benefit of Christopher.</p> <p>Petitioner states she is enrolled at Reedley College and will be starting classes in October 2013 for a certificate in business administrative assistant, which will take 12 months if she continues to attend part time.</p> <p>Petitioner requests authority authorizing her to withdraw \$1,000.00 per month from the blocked account without further court order, to be expended for the comfortable and suitable support and/or maintenance and/or education of Christopher Rodriguez until further order of the Court or as the Court may deem proper.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need status of funds.</p> <p>Petitioner originally stated that the minor was expected to receive \$40,000.00 in death benefits. The Court granted guardianship of the estate on 10-29-13 and set status hearing for 12-6-13 for the filing of a receipt for deposit of money into blocked account.</p> <p>2. Ms. Rodriguez was granted a fee waiver in connection with the original petition; however, upon receipt of funds in the guardianship estate, fees will be due to the court. Therefore, need filing fees of \$870.00 (\$435 for filing of the original petition and \$435 for filing of this petition).</p>
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Reviewed by: skc
Reviewed on: 11-13-13
Updates:
Recommendation:
File 8 – Rodriguez